IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 947 OF 2005

IN

APPEAL FROM ORDER NO. 60 OF 2003

MRS. ARAMITA D'SILVA E FERNANDES AND 2 ORS., ...Applicants

Versus

MR. ANTONIO G.D.M. JOAO AND 12 ORS., ...Respondents

Mr. N. Vaze, Advocate for the applicants.

Mr. P. A. Kamat, Advocate for the respondents.

Coram:- A. P. LAVANDE, J.

Date:- 10th March, 2006

P.C.

Heard Mr. Vaze, the learned Counsel for the applicants and Mr. Kamat, the learned Counsel for the respondents. By this application, the applicants submit that they may be permitted to paint the suit structure. By Order dated 28th November, 2003 passed in Civil Application No.278/03, the parties were directed to maintain status quo as on that date in respect of the suit property, during the pendency of Appeal from Order No.60/03. The relief claimed in this application is opposed by Mr. Kamat, the learned Counsel appearing for the respondents.

In my view, no irreparable loss or prejudice will cause to the respondents in the event the applicants are permitted to paint the suit structure. However, it is made clear that the applicants will not be entitled to claim any equity on account of the fact that they have been

permitted to paint the suit structure, in the event the matter is decided against the applicants.

It is further made clear that except for painting the suit structure, the applicants shall abide by the status quo order dated 28.11.03 passed by this Court. The application, accordingly, stands disposed of.

A. P. LAVANDE, J.

ssm.